

# Privacy Policy for Business Partners and Interested Parties

We take the protection of your personal data very seriously. We always treat your personal data confidentially and in accordance with the statutory data protection regulations. Therefore, we would like to inform you at this point as to why we collect, use and process certain data from you and the rights to which you are entitled.

## 1 Who is responsible for data processing and whom can I contact?

The following party is the controller:

VPL Coatings GmbH & Co KG  
Augustenstraße 46  
06366 Köthen  
Tel.: +49 (0) 3496 68 223  
E-mail: office@vpl-coatings.de

You can reach our company data protection officer at:

Dr. Andreas Melzer  
kelobit IT-Experts GmbH  
Tel.: +49 (0) 345 132553-80  
E-mail: dsb@kelobit.de

## 2 Which sources and data do we use?

We process the data that is necessary in connection with the establishment, execution and/or termination of our business relationships. As a rule, we collect this data directly from you, for example, within the scope of an offer inquiry or order placement, and by contacting you via our website, by e-mail, at trade fairs or similar events.

It may sometimes happen that we first receive your data from another person, for example, a colleague in your company, who names you as a contact person for us. If this is the case, we will inform you of our source upon our first communication.

The personal data processed by us include the following:

- Name, first name and gender (for the form of address)
- Company affiliation and company address
- As a rule, two contact options in your company (for example, telephone number and e-mail address)
- Records of business transactions and correspondence
- Depending on the subject matter of the business, where necessary, user IDs for protected areas on our website as well

## 3 Why do we process your data (purpose of processing) and on what legal basis?

We use the data set forth above for the preparation and fulfilment of business transactions and for the establishment and maintenance of effective business communication, including the sending of, for example, newsletters. As a rule, the legal basis for such processing operations is Art. 6, para. 1, letter of the GDPR if you, as our business partner, represent another organisation. Our legitimate interest is to achieve the aforementioned purposes. If you as a person are directly our contractual partner, we process your data instead on the basis of Art. 6,

para. 1, letter b GDPR, which allows the processing of personal data for the fulfilment of a contract or pre-contractual measures.

If you do not wish to receive newsletters, etc., you can exercise your right of objection and inform us informally by e-mail or post (see also point 11 of this Privacy Policy). An objection will not affect the lawfulness of the use of your data up to the point of objection.

It may happen that we want to collect further data from you at a later point in time or use it in another manner. If this should occur, we will ask you for your consent in accordance with Art. 6, para. 1, letter a in conjunction with Art. 7 GDPR, and inform you accordingly. If you give us such consent, it can be revoked at any time without any form.

If your data is necessary for the assertion of rights, processing may be carried out to protect our legitimate interests in accordance with Art. 6, para. 1, letter f GDPR. Our interest then lies in the assertion or defence of claims, for example within the scope of the duty to provide evidence in proceedings.

## 4 Who will receive my data?

In our company, only those persons who need access to your data for the smooth execution of our business relationship have access to your data. This can also involve several specialist departments in our company, depending on the services or products you purchase from us. Furthermore, our IT department has access to your data for exclusively technical processing.

Service providers employed by us may also be recipients of personal data within the scope of order processing in accordance with Art. 28 GDPR.

In the course of processing your orders, it is sometimes necessary for us to transmit certain data to our respective suppliers, manufacturers or distributors who are based in Germany, other European countries or the European Economic Area. This includes, for example, your last name, your first name (if applicable) and your organisational affiliation along with your contact details in your organisation.

Under certain circumstances, we may be required to disclose certain data to the appropriate authorised bodies as part of our statutory obligations.

## 5 Is data transferred to a third country or to an international organisation?

As a rule, data is not transferred to bodies in countries outside the European Economic Area (so-called "third countries"). Nevertheless, a transfer of data to third countries may take place in individual cases, to the extent that:

- it is required by law,
- you have given us your consent, or
- this is justified by a legitimate interest in terms of data protection law and no higher interests of the data subject worthy of protection conflict with this.

Furthermore, we do not transfer any personal data to third countries or international organisations.

However, for certain tasks we use service providers who typically also use service providers who may have their headquarters, parent company or data centres in a third country. A transfer is permissible if the European Commission has decided that an adequate level of protection exists in a third country (Art. 45 GDPR). In the absence of such a decision by the Commission, we or our service providers may transfer personal data to a third country only if appropriate safeguards are in place (for example, standard data protection clauses adopted by the EU Commission or the supervisory authority in a particular proceeding) and enforceable rights and effective remedies are available.

We have concluded appropriate contracts with our service providers and have also contractually agreed that there must always be data protection guarantees with their contractual partners in compliance with the European level of data protection. We will provide you with a copy of these guarantees upon request.

## 6 How long will my data be stored?

We store your data during the entire ongoing business contact between your organisation and us, which includes in particular the existence of a contract or pre-contractual measures. If no contract currently exists or if the term of a contract ends, your data will be erased from our customer database after the expiry of one year without any business contact.

In addition, we store your data only in the scope and to the extent that we are obliged to do so by mandatory statutory regulations, such as retention periods under commercial law or tax law. As a rule, this concerns a period of ten years. If we no longer need your data for the purposes described above, it will be stored separately during the respective statutory retention period and will not be processed for other purposes. After the expiry of the statutory retention periods, all remaining data is immediately securely erased or destroyed.

## 7 What data protection rights do I have?

Every data subject has the right of access under Article 15 GDPR, the right of rectification under Article 16 GDPR, the right of erasure under Article 17 GDPR, the right to restrict processing under Article 18 GDPR, the right of objection under Article 21 GDPR and the right of data portability under Article 20 GDPR. With regard to the right of access and the right of erasure, the restrictions according to § 34 and § 35 of the German Federal Data Protection Act (*Bundesdatenschutzgesetz*) apply. Furthermore, there is a right of appeal to a competent data protection supervisory authority (Article 77 GDPR).

You can revoke your consent to the processing of personal data at any time. This also applies to the revocation of declarations of consent that were issued to us before the General Data Protection Regulation came into force, that is, prior to 25 May 2018. Please note that a revocation is only effective for the future. Processing operations that took place prior to the revocation are not affected.

## 8 Is there a duty to provide data?

Initially, the provision of your personal data is not required by law or contract, nor are you obliged to provide such data.

However, if you yourself have a direct business relationship with us, you must provide us with the personal data required to establish and maintain a business relationship and to fulfil the associated contractual duties. Without such data, we will usually have to refuse to conclude the contract or carry out the order, or we will no longer be able to execute an existing contract and may have to terminate it.

If this concerns a business relationship with a company that you represent to us, you must provide us with the personal data that is necessary for the establishment and execution of a representation / authorisation and the fulfilment of the associated contractual duties. Without such data, we will usually have to reject you as a person with the right to represent / authorised representative or cancel an existing right of representation / authorisation.

## 9 To what extent is there automated decision-making?

We do not use fully automated automatic decision-making in accordance with Article 22 GDPR to establish, implement and terminate the business relationship. If we use such procedures in individual cases, we will inform you of this and of your rights in this regard separately, insofar as this is required by law.

## 10 Does profiling take place?

We do not process your data with the objective of automatically evaluating certain personal aspects.

## 11 Information on your right of objection under Article 21 GDPR

### 11.1 Right of objection based on individual cases

You have the right to object at any time, for reasons arising from your particular situation, to the processing of personal data concerning you, which is carried out on the basis of Art. 6, para. 1, letter f GDPR (data processing

based on a balancing of interests). This also applies to profiling based on this provision within the meaning of Art. 4, no. 4 GDPR.

If you file an objection, we will no longer process your personal data, unless we can prove compelling reasons for processing that are worthy of protection and outweigh your interests, rights and freedoms, or the processing serves to assert, exercise or defend legal claims.

### 11.2 Recipient of an objection

The objection can be made in any form with the subject "Objection", stating your name and organisation, and is to be addressed to:

[office@vpl-coatings.de](mailto:office@vpl-coatings.de) - "Data Protection Team"